

**UNITED STATES DISTRICT COURT  
FOR THE Northern District of Illinois – CM/ECF LIVE, Ver 6.3.2  
Eastern Division**

RooR International BV, et al.

Plaintiff,

v.

Case No.: 1:19-cv-05066

Honorable Edmond E. Chang

VIP Skokie, et al.

Defendant.

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**NOTIFICATION OF DOCKET ENTRY**

This docket entry was made by the Clerk on Thursday, June 4, 2020:

MINUTE entry before the Honorable Edmond E. Chang: On review of Plaintiffs' motion for default judgment [41], judgment is awarded in the amount of \$21,190.45. In counterfeit trademark cases, the balance in setting statutory damages is providing some measure of compensation and deterrence, without crossing the line into over-deterrence. Relevant considerations include the nature and price of the product; the volume of sales (or an estimate depending on the size of the offending retail operation); any safety and health risks of the counterfeit goods; and the strength of the mark. Here, the hookah product bought by the investigator was a modest \$30, so the store (which appears to be a very modest corner store) would have to sell almost hundreds of them to get to approximately \$20,000 sought by Plaintiffs. But there actually is some health concern with counterfeit products that are designed to convey vapors into the body. And absent an adversarial presentation (Defendant is in default), it is difficult to gauge what other mitigation there might be. So the Court awards \$20,280 in statutory damages. The Court is reclassifying the private-investigator fee and the purchased product into the statutory damages amount because it is not clear that those expenses are properly considered taxable costs under Civil Rule 54(d)(1), but they should be recoverable to add to the deterrence and rough compensation purposes of statutory damages. In addition to the statutory damages, \$910.45 is awarded for costs (the filing fee and service expense). The total judgment amount is thus \$21,190.45. A separate AO-450 judgment shall be entered. Status hearing of 06/08/2020 is vacated. Civil case terminated. Mailed notice (mw, )

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